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2 A Limited Liability Partnership
3 Including Professional Corporations
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7 CATHOLIC HEALTHCARE WEST and ST.
8 MARY'S REGIONAL HEALTH CARE
CENTER

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11

12 MICHELLE WUEST on behalf of
13 herself and all others similarly situated,

14 Plaintiff,

15 v.

16 CATHOLIC HEALTHCARE WEST, a
17 California Corporation; ST. MARY'S
18 REGIONAL HEALTH CENTER, an
unknown Nevada entity; and DOES 1-
50, Inclusive,

19 Defendants.
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Case No. CV11-2550 CRB
Assigned to Hon. Charles R. Breyer

**DEFENDANTS' NOTICE OF
WITHDRAWAL OF PENDING
MOTION TO STRIKE AND
MOTION TO DISMISS
CONCERNING PLAINTIFF'S
COMPLAINT; AND**

**JOINT STIPULATION TO PERMIT
DEFENDANTS UNTIL
SEPTEMBER 16, 2011 TO FILE A
RESPONSIVE PLEADING TO
PLAINTIFF'S RECENTLY FILED
FIRST AMENDED COMPLAINT**

23 TO THIS HONORABLE COURT, PLAINTIFF AND HER ATTORNEY OF
24 RECORD:

25
26 **PLEASE TAKE NOTICE** that on August 14, 2011, Plaintiff Michelle
27 Wuest filed a first amended complaint which addressed some (but not all) of the
28 issues raised by Defendants in their motion to strike and motion to dismiss.

1 Accordingly, Defendants hereby withdraw their pending motions to strike and
2 dismiss, presently set for hearing on September 30, 2011, at 10:00 a.m., in the above
3 entitled Court, located at 450 Golden Gate Avenue, San Francisco, California
4 94102. Instead, Defendants will file a responsive pleading to Plaintiff's first
5 amended complaint.

6
7 Moreover, IT IS HEREBY STIPULATED AND AGREED by Plaintiff and
8 Defendants, through their respective counsel of record, that Defendants' responsive
9 pleading to the first amended complaint shall be due for service on or before
10 September 16, 2011.

11
12 Dated: August 19, 2011

13 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

14
15 By /s/ Original Signed by Daniel J. McQueen
16 RICHARD J. SIMMONS
17 DANIEL J. McQUEEN
18 Attorneys for Defendants

19 CATHOLIC HEALTHCARE WEST and ST.
20 MARY'S REGIONAL HEALTH CARE
21 CENTER

22 Dated: August 19, 2011

23 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

24 By /s/ Original Signed by Jason J. Kuller
25 MARK R. THIERMAN
26 JASON J. KULLER
27 Attorneys for Plaintiff
28 MICHELLE WUEST

1 After full consideration of the parties' stipulation to permit Defendants until
2 September 16, 2011, to file a responsive pleading to Plaintiff's first amended
3 complaint, the Court hereby approves the stipulation as requested and enters this
4 order accordingly.

5
6 IT IS SO ORDERED.

7
8 Dated: _____ August 24., 2011

9
10 By _____

